

REMARKS/ARGUMENTS

1. Claims 1-42 are Patentable Over the Cited Art

The Examiner rejected claims 1-42 as anticipated (35 U.S.C. §102(e)) by Barnard (U.S. Patent No. 6,687,677). Applicants traverse.

Independent claims 1, 15, and 29 concern assigning a work item for one of a plurality of nodes in a workflow to at least one of a plurality of users capable of performing workflow related operations at the nodes, and require: processing a node in a current workflow, wherein a current work item is associated with the processed node; processing an access list indicating users capable of being assigned the current work item; determining from the access list at least one user capable of being assigned the current work item; for each determined user, determining a number of work items other than the current work item assigned to the user in the current workflow and in a workflow other than the current workflow; selecting at least one determined user based on the determined number of work items assigned to the determined users; and assigning the current work item to the at least one determined user.

Barnard concerns a system for deploying a procurement and accounts payable application having a server, team terminals and communication links. The server is operable to maintain a database of templates and to serve the templates to team members at the terminals to coordinate, record and track team activities. (Barnard, col. 2, line 63 to col. 3, line 5)

The Examiner found that col. 19, lines 11-17 discloses the claim requirements of determining, for each user determined from an access list that is capable of being assigned the current work item, a number of work items other than the current work item assigned to the user in the current workflow in the current workflow and in workflows other than the current workflow and selecting at least one determined user based on the determined number of work items assigned to the determined users. (Fourth Office Action, pg. 3) Applicants traverse.

Barnard discusses an assessment of a client's general procurement and accounts payable process to define an integrated customer solution. (Barnard, col. 16, lines 60-65). Barnard further discusses a project design and development phase that documents in a database templates referred to as a Playbook, the business controls, transformation management, etc. Business controls provides a comprehensive process that identifies key control points and establishes

detailed procedures to assure a quality installation. (Barnard, col. 18, lines 63-66) The deliverables of this process include separation of duties. The cited col. 19, lines 11-17 discusses the separation of duties as:

(2) Separation of duties: the duties of the programmer, computer operations, and user groups are reviewed to ensure that separation of duties problems do not exist. No one individual can control activities within a process (or any event in a string of events) in a way that permits errors of omission, or commission of fraud, theft, etc., to go undetected.

Thus, the cited col. 19 discusses determining the duties and activities of those involved in the analyzed and modeled business processes. Although the cited col. 19 discusses looking at the duties of workers, nowhere does the cited col. 19 anywhere disclose the claim requirements of processing an access list to determine users capable of being assigned the current work item and then determining the number of work items assigned to each user (indicated in an access list) in the current and another workflow, and then selecting one user based on the number of work items assigned to the users. Nowhere does the cited col. 19 disclose the specific claim requirements on how to select a user based on the number of work items assigned to each user (indicated in an access list) in the current and another workflow.

In fact, the cited col. 19 has no mention of determining work items assigned to users in a current workflow including the current work item to assign as well as work items assigned in different workflows. In the cited col. 19, there is no disclosure of analyzing work items assigned to the user in different workflows as claimed. Instead, the cited col. 19 discusses considering and reviewing the duties of the programmer and user groups to ensure that separation of duties problems do not exist.

Moreover, the cited "separation of duties" is not concerned with load balancing as claimed, but is instead concerned with controlling activities within a process to prevent errors and fraud from going undetected. Nowhere do the cited reasons for reviewing the "separation of duties" anywhere disclose or mention the specific claimed operation of determining a number of work items other than the current work item assigned to the user in the current workflow in the current workflow and in workflows other than the current workflow, and then selecting one user based on the determined items assigned.

The Examiner cited col. 3, lines 10-14 of Barnard as disclosing the requirement of selecting at least one determined user based on the determined number of work items assigned to the determined users. (Fourth Office Action, pg. 3) Applicants traverse.

The cited col. 3 mentions user terminals to access via a server the database for coordinating tasks by enterprise teams implementing the procedures, the tasks including quality review, project management, and transition management.

Nowhere does the cited col. 3 anywhere disclose selecting a determined user for a work item based on the determined number of work items assigned to users. Instead, the cited col. 3 discusses how enterprise teams may use terminals to implement procedures. There is no disclosure or mention of the claim requirement of selecting a user based on the determined number of work items assigned to users.

Applicants submit that nowhere does the cited Barnard disclose the specific claim requirements of processing an access list to determine users capable of being assigned the current work item. Further, nowhere does the cited Barnard specifically disclose that a current work load used in the balancing is determined according to the claim requirement of determining a number of work items other than the current work item assigned to the user for the current workflow and another workflow. Nowhere does Barnard disclose the specific claimed technique for determining how to select a user based on an access list and work items assigned to that user in the current and another workflow. Yet further, nowhere in the cited Barnard is there any mention of load balancing based on work items assigned to users in multiple workflows.

Accordingly, claims 1, 15, and 29 are patentable over the cited art because the cited Barnard does not disclose all the claim requirements.

Claims 2-5, 16-19, and 30-33 are patentable over the cited art because they depend from one of claims 1, 15, and 29, which are patentable over the cited art for the reasons discussed above. Moreover, the following dependent claims provide additional grounds of patentability over the cited art.

Claims 2, 16, and 30 depend from claims 1, 15, and 29 and further require that the determined number of work items assigned to each user includes active work items assigned to the user in workflows other than the current workflow.

The Examiner cited col. 5, lines 4-25 of Barnard as disclosing these claim requirements. (Fourth Office Action, pg. 3) Applicants traverse.

The cited col. 5 mentions that procedures and methods are provided for integrating all aspects of a general procurement and accounts payable (GP/AP) system, including creating an electronic purchase for goods and services, a web enabled delivery system, auditing service provider activities without being on site, etc. Some of the tasks implemented in the system include business controls, information technology, process, testing, etc. Each of these summary tasks may be accessed by team members and server providers within the Playbook database.

The cited col. 5 mentions how team members may access tasks that are part of a GP/AP system. However, nowhere does this cited col. 5 anywhere disclose that the determined number of work items assigned to each user includes active work items assigned to the user in workflows other than the current workflow. In other words, nowhere does the cited col. 5 anywhere disclose that the current work item is allocated to users based on the work items assigned to the user in workflows other than the current workflow. In fact, Applicants submit that the specific details of claim 2 concerning that work items assigned to each user including active work items assigned to the user in workflows other than the current workflow are nowhere mentioned in the cited col. 5.

Accordingly, claims 2, 16, and 30 provide additional grounds of patentability over the cited art.

Claims 3, 17, and 30 depend from claims 2, 16, and 30 and further require that the determined number of work items further include active work items assigned to the user in the current workflow other than the current work item. The Examiner cited the same section of Barnard cited with respect to claims 2, 16, and 30. (Fourth Office Action, pg. 3)

Applicants submit that nowhere does the cited col. 5 disclose that the determined number of work items used to select one user includes active work items assigned to the user in the current workflow. There is no disclosure or mention in the cited cols. 5 of this requirement that resource allocation consider the number of active work items assigned to the user in the current workflow.

Accordingly, claims 3, 17, and 31 provide additional grounds of patentability over the cited art.

Claims 5, 19, and 33 depend from claims 1, 15, and 29 and further require that determining the number of work items assigned to each user further comprises determining work items for which the user has exclusive access and determining work items that are not owned by another user and that are associated with an access list that includes the user.

The Examiner cited col. 22, lines 24-35 of Barnard as disclosing the additional requirements of these claims. (Fourth Office Action, pg. 4) Applicants traverse.

The cited col. 22 discusses a project support stage that enables project teams, which have responsibilities with the client, to provide ongoing support. The teams are integrated through the use of transition management systems and methods. Each of these areas has specific predetermined plans, actions and responsibilities, and these are audited and tracked through a GP/AP development and deployment system.

Nowhere does the cited col. 22 anywhere disclose the claim requirement that determining the work items assigned to a user involves determining the work items for which the user has exclusive access and work items that are not owned by another user. In fact, nowhere in the cited col. 22 is there any disclosure or mention of exclusive access with respect to work items, nor determining work items not owned by users. Instead, the cited col. 22 discusses a project support stage which does not mention or concern the claim requirement of determining work items for which the user has exclusive access when selecting one user based on the number of work items assigned to the user.

Accordingly, claims 5, 19, and 33 provide additional grounds of patentability over the cited art.

Claims 6, 20, and 34 depend from claims 1, 15, and 29 and further require that selecting at least one determined user based on the determined number of work items assigned to the determined users further comprises: for each work item assigned to the user, determining a priority related to the work item; for each user, calculating an index based on each priority related to each work item assigned to the user; and using the index to select one user to assign the new work item.

The Examiner cited col. 19, lines 11-17 and col. 22, lines 24-35 of Barnard as disclosing the additional requirements of these claims. (Fourth Office Action, pg. 4) Applicants traverse.

As discussed, the cited col. 19 discusses an assessment process that considers the separation of duties and user groups to ensure that separation of duties problems do not exist so that no one individual can control activities within a process in a way that permits errors of omission, fraud, theft, etc. The cited col. 22 discusses how project teams may provide ongoing support.

Nowhere do these cited cols. 19 and 22 disclose or mention the specific claimed requirements of calculating an index for each user based on priority related to each work item assigned to the user. In fact, there is no mention of indexes or calculating an index based on the priority related to each work item assigned to a user. Thus, the cited cols. 19 and 22 nowhere disclose or even mention the claim requirement of determining the priority of the work items assigned to the user and then calculating an index based on the priority of each work item.

Accordingly, claims 6, 20, and 34 provide additional grounds of patentability over the cited art because their additional requirements are not taught or suggested in the cited Barnard.

Claims 7-14, 21-28, and 35-42 depend from intervening claims 6, 20, and 34 and provide further requirements on the use of priority. Applicants submit that these dependent claims provide further grounds of patentability over the cited art because the cited Barnard nowhere teaches or suggests using the priority of work items assigned to a user when selecting one user to assign to the current work item.

Moreover, the Examiner has not cited any part of Barnard that discloses the claim requirements concerning determining priorities related to work items and then calculating, for each user, an index based on work items assigned to a user as part of determining the work load of users for use in selecting one user to which to assign a work item.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-42 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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